

IN THE SUPREME COURT OF THE STATE OF NEVADA

HYUKEEM TYRESE WELDON,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 83378

FILED

JAN 12 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING PETITION FOR A WRIT OF MANDAMUS

This is an original pro se petition for a writ of mandamus seeking to compel action on petitioner's postconviction petition for a writ of habeas corpus in the district court.

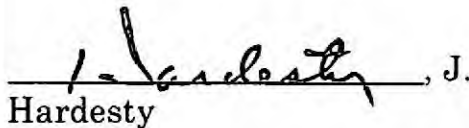
On September 10, 2021, this court entered an order directing real party in interest, on behalf of respondents, to file and serve an answer, including authorities, against issuance of the requested writ. Real party in interest filed an answer on October 4, 2021, wherein it asserted that the district court had taken action on petitioner's postconviction proceedings based on an order issued September 24, 2021, and that therefore the purpose of this petition was moot. This court entered an order directing Judge Erika D. Ballou to file and serve an answer informing this court whether the September 24, 2021, order had an effect on the propriety of writ relief and to explain the delay in the proceedings. Judge Ballou filed an answer on December 28, 2021, where she informed this court that the postconviction proceedings had been delayed because the Department

inadvertently overlooked the filing when it was transferred and was unaware of the petition and motion until this writ petition was filed. She informed this court that a hearing had been set for January 4, 2021 and asserted that therefore this writ petition was now moot.

It appears that this court is no longer able to grant the relief petitioner requested, as it has been effectuated by the district court, and we thus dismiss the instant petition as moot. *See Personhood Nev. v. Bristol*, 126 Nev 599, 602, 245 P.3d 572, 574 (2010) (holding that a case that initially presents a live controversy may be rendered moot by subsequent events).

It is so ORDERED.

 S.J.
Parraguirre

 J.
Hardesty

 J.
Stiglich

cc: Hon. Erika D. Ballou, District Judge
Hyukeem Tyrese Weldon
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk